



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JRE
Docket No: 6043-99
7 November 2000

[REDACTED]

Dear [REDACTED]

This is in reference to the application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552, submitted by your late husband.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 November 2000. Your husband's allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of the application, together with all material submitted in support thereof, your husband's naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this regard, the Board found that you husband was properly denied a Notice of Eligibility for Disability Benefits because his heart condition was not incurred or aggravated beyond normal progression while he was entitled to basic pay. Similarly, it concurred with the determination of the Physical Evaluation Board that he was not physically qualified for further service, and not entitled to disability benefits administered by the Department of the Navy. Accordingly, his application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director